

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:07CV1052 CDP
)	
2003 BMW, et al.,)	
)	
Defendants.)	

ORDER AND MEMORANDUM

A representative of the news media has requested a copy of the search warrant, including the application and affidavit in support and return, that is referenced in paragraph 8(d) on page 3 of the Verified Complaint of Forfeiture. The complaint alleges that this was a federal search warrant executed in this district, so the warrant must have been issued from this Court. I assume that the warrant and supporting documents have been filed under seal in the Clerk's office. Assuming that the warrant was issued from this district, it is a public record of this Court that must be released unless the continuation of the seal is necessitated by a compelling government interest and there is no less restrictive alternative. See In re Search Warrant (McDonnell Douglas), 855 F.2d 569 (8th Cir. 1988).

Accordingly,

IT IS HEREBY ORDERED that plaintiff United States must show cause,

in writing, no later than **July 5, 2007** why the search warrant referred to in the complaint and its supporting materials should not be unsealed. The government must include in its response the docket number of the warrant.

A handwritten signature in black ink, reading "Catherine D. Perry". The signature is written in a cursive style with a horizontal line underneath it.

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 20th day of June, 2007.